

Approved For Release 2005/04/27 : CIA-RDP77M00144R001100160005-1

TRANSMITTAL SLIP		DATE 1 October 1975
TO: Asst. Legislative C [REDACTED]		
ROOM NO.	BUILDING	
REMARKS:		
FROM: [REDACTED]		
ROOM NO.	BUILDING	
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OGC 75-3543
29 September 1975

MEMORANDUM FOR: Assistant Legislative Counsel

SUBJECT: Social Security Act Amendments--Garnishment of
Salary and Annuities for Child Support and Alimony

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Don:

1. I agree with your assessment that the draft regulation pertaining to the garnishment of salary and annuities to satisfy child support and alimony obligations does not appear to give us the kind of discretion we need to protect our covert employees from exposure. Although the General Counsel of the Office of Management and Budget has stated to you that these regulations "will permit us to continue to handle our special problems in the usual way," I am not confident he understands our "special problems." I suggest it is time to "escalate" this matter and for the General Counsel and the Legislative Counsel to explain our problems directly to the General Counsel of the Office of Management and Budget (and possibly to the Department of Justice).

2. Garnishment or attachment may only be accomplished through legal process. This proposed regulation requires service of a writ or order of garnishment or attachment upon the head of the agency making the payment of remuneration sought to be garnished or attached. The proposed regulation also requires the head of the agency paying the remuneration to advise the court issuing the writ that the writ will be honored and appropriate action will be taken to pay the sum required. The legal process served must be accompanied by a specification of the type of payment which the process seeks to reach by the garnishment or attachment and the name of the agency making the payment.

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3. As I indicated in a previous memorandum on this same subject.

4. At an absolute minimum, I think we should ask that we be allowed to publish in the appendix to the regulation (in addition to the name and address of the agent upon whom legal process may be served) a statement to the effect that any party who wishes to garnish or attach the salary of an individual believed to be a CIA employee should, before instituting legal proceedings, contact the Agency in order to obtain more specific guidance.

Assistant General Counsel

cc: C/CCS
D/Pers
D/Sec
D/Fin

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